

## **REMARKS**

Claims 50-65 were rejected in the Office Action. Various claims have been amended as shown. Claims 38-49 were previously withdrawn in response to a restriction requirement mailed September 5, 2008. Claims 67-70 are new. Accordingly, claims 38-65 and 67-70 are pending. Reconsideration of the pending claims is respectfully requested.

### *Examiner Interview*

A telephonic interview occurred between Examiner Tung Vo and Linda Zachariah, Reg. #48, 057, on November 8, 2010. An agreement with respect to the claims was reached. As discussed below, the claims have been amended to reflect the agreed-upon subject matter. The Examiner is thanked for the indication of allowable subject matter over the references of record.

### *Claim Rejections – 35 U.S.C. § 103*

Claims 50-65 were rejected under 35 U.S.C. § 103(a) over US Patent No. 5,754,233 to Takashima in view of U.S. Patent No. 5,812,699 to Zhu et al. (“Zhu”).

Applicants respectfully disagree for at least the reason that it is believed that there is no motivation to combine Takashima with Zhu in the manner suggested by the Office (see at least response filed 7/27/2010). However, to expedite prosecution independent claims 50, 55, and 62 have been amended to incorporate the subject matter indicated by the Examiner in the interview to be allowable over the references.

Amended claim 55 recites in pertinent part, “wherein the compression time is based at least in part upon a quantization parameter calculated and selected by the processor based at least in part upon a mean value of quantization parameters for a previous frame.” Support for the amendment can be found in at least paragraph [0023] of the Published Application.

It is respectfully submitted that neither Takashima nor Zhu teach or suggest at least the above recitation. Independent claims 50 and 62 include one or more similar unobvious elements as independent claim 55. Thus for at least the same reasons that claim 55 is patentable over Takashima and Zhu, claims 50 and 62 are now also patentable. Accordingly, Applicants request that the instant §103 rejections of claims 50, 55, and 62 be withdrawn.

As for dependent claims 51 – 54, 56 – 61, and 63-66, these claims depend directly or indirectly from at least one of independent claims 50, 55, or 62 incorporating their recitations. Thus, for at least the reason that claims 50, 55, or 62 are patentable over Takashima as described above, claims 51 – 54, 56 – 61, and 63-65 are likewise patentable over Takashima.

Thus, for at least the foregoing reasons, Applicants request that the instant §103 rejections of claims 50 – 65 be withdrawn.

#### *New Claims*

New independent claim 67 contains one or more similar non-obvious recitations as discussed above with respect to claim 55. Thus, it is respectfully submitted that claim 67 is allowable over the references for at least the same reasons that claim 55 is allowable. New dependent claims 68-70 directly or indirectly depend from claim 67 and are allowable for at least similar reasons as discussed above in connection with their respective independent claims, in addition to adding further limitations of their own. Note that support for new claims 67-70 can be found in at least paragraphs [0021] – [0025]. Accordingly, Applicants respectfully request allowance of the claims.

#### CONCLUSION

In view of the foregoing remarks, Applicants believe the applicable rejections have been overcome and all claims remaining in the application are presently in condition for allowance. Accordingly, favorable consideration and a Notice of Allowance are earnestly solicited. The Examiner is invited to telephone the

undersigned representative at (206) 407-1561 if the Examiner believes that an interview might be useful for any reason.

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a).

If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,  
SCHWABE, WILLIAMSON & WYATT, P.C.

Date: 12-17-10 by: /Linda S. Zachariah/  
Linda S. Zachariah  
Reg. No.: 48,057

Schwabe, Williamson & Wyatt, P.C.  
US Bank Center  
1420 5<sup>th</sup> Avenue, Ste. 3400  
Seattle, WA 98101